

3-10-2017 FST Meeting: DFS Officer Teresa Whaley, Cindy Haynes, M.H., Williams, Chris Montgomery Juvenile Officer and M.S.H.

[00:00:05.390] – Plaintiff: Technology, huh?

[00:00:20.490] - Theresa Whaley: Yeah. Hey, is Siegrid there by any chance? She is not. Okay. Hi, Siegrid. It's Theresa. I told you that I would call for the Haynes FST if you want to participate, you can call back at 996-2175 extension two, three, one, I believe. So, feel free to call us back and we'll conference you in. Thank you. Bye. Okay. So I got her voicemail. I left her a message. This is the 30-day family support team meeting. And here in the room is Chris Montgomery. He's sitting in for Pam Stark today [Juvenile Officer]. Cindy is here. M.S.H. is here as well. M.H. is here, and John and Cassie Rideout, foster parents are here. And then, of course, this is Theresa Whaley talking. On the phone is Jennifer Williams, the girls Guardian Ad Litem and Jasper Edmundson, Cindy's attorney. Okay. I apologize for the confusion on the time, but I did send an email that said 10:00 AM. Probably just you get so many, you probably got it confused with other ones. But anyway, so this is the family support team meeting, the 30-day review. And I was just telling the family that the purpose for this meeting is for all of us to come together and discuss the circumstances, review how the kids are settled into their placement, talk about visitation and kind of develop a plan for where to go from here. I have had a chance to visit with the girl a few times since being at the Rideout home. I've stayed in pretty close contact with John and Cassie and Cindy, and I have talked several times as well. Who wants to start? Cassie, you, or John want to tell us how the girls are doing with you?

[00:02:26.290] - Cassie Rideout: Wonderful. Couldn't ask for better kids.

[00:02:29.150] - Theresa Whaley: Speak up just a little bit.

[00:02:35.190] - Cassie Rideout: The girls are settling in pretty good. I couldn't ask for better kids.

[00:02:35.502] - Theresa Whaley: No behaviors, nothing?

[00:02:43.410] - Theresa Whaley: I did get a chance to get their school records. Looks like they're both doing very very well in school. M.H. is a 7th grader and S.H. is in second grade. S.H.'s got straight A's, very smart little girl. M.H. is doing very well. She did have a couple of F's on her progress report, but that was because of her hospitalization, and she has brought that up, she said since then she had some things she had to make up. Is that right, M.H.?

[00:03:17.610] - M.H.: Yeah.

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[00:03:19.410] - Theresa Whaley: The school reports no discipline, good attendance. They have no concerns whatsoever with the girls. Luckily, the kids were able to stay in the same school district, and S.H. was a little bit nervous about having to ride the school bus. But she told me the other day when I talked to her, that that's going okay. But one of the little girls in her class is on the bus, and so that's doing well. What else? Anything else? Do you have concerns about anything, Cassie?

[00:03:55.090] - Cassie Rideout: Not really. I am a little bit concerned with S.H. as far as her eating because she wants to stay on the vegetarian for mom. And I don't feel like, I don't know enough about the vegetarian thing, but I feel like she's getting, she's not getting the nutrition that she needs. She will eat other things.

[00:04:18.710] - Theresa Whaley: And I know it's been a while.

[00:04:19.850] - Cassie Rideout: But not always well.

[00:04:21.050] - Theresa Whaley: And I know Cindy has told her that she doesn't have to stay on it. Is that right? Did you tell her that?

[00:04:27.410] - Plaintiff: Well, I would, since she's a child, you know as a parent.

[00:04:32.570] - Theresa Whaley: Speak up a little.

[00:04:32.570] - Plaintiff: Okay. As a parent this is what I understand to be the best diet for us to be healthy. And that's my own personal you know my own personal views that I would like to raise my children as.

[00:04:44.750] - Theresa Whaley: Sure. And I know you take food over there things that

[00:04:47.810] - Plaintiff: Yes, and I'm even happy to do that more, to do that.

[00:04:52.670] - Theresa Whaley: I mean, that might be part of the solution if you know you guys are okay with that. Not that you can't feed her, but since Cindy knows, or maybe get with Cindy and maybe find out some things that S.H. likes.

[00:05:04.010] - Cassie Rideout: I've got some recipes and stuff.

[00:05:10.050] - Plaintiff: I know it's unique.

[00:05:12.150] - Theresa Whaley: And I know as a family, you know it's hard to prepare separate meals for one child or two children.

[00:05:18.270] - Theresa Whaley: Now, M.H., what are you doing? As far as the diet goes.

[00:05:21.930] - M.H.: I'm not vegetarian.

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[00:05:23.610] - Theresa Whaley: Okay.

[00:05:25.890] - Theresa Whaley: What about you are you a vegetarian?

[00:05:28.230] - M.S.H.: No, I like to eat vegetables. I eat all my vegetables.

[00:05:31.370] - Theresa Whaley: But you'll eat meat also?

[00:05:32.610] - M.S.H.: But I just don't eat pork.

[00:05:37.650] - Plaintiff: There's a whole town that's vegetarian in California.

[00:05:42.090] - M.S.H.: There's a vegetarian restaurant.

[00:05:45.330] - Plaintiff: Really?

[00:05:45.750] - Theresa Whaley: Yeah. Where's that at?

[00:05:47.550] - M.S.H.: Well, actually, I have a friend that works there as a chef. He's going to culinary school. And they have on, like, Tuesdays and Fridays. All the kids will be able to cook their own meals. And there's this one girl who cooks vegetarian. So she has a vegetarian, a whole vegetarian meal.

[00:06:01.470] - Theresa Whaley: Nice.

[00:06:02.430] - Plaintiff: Like the doctor of the future will treat with food. And that's more what I'm learning how to do.

[00:06:09.270] - Theresa Whaley: Oh, yeah. And I'm not saying there's anything against it. I mean, I'm all for that. I wish I could do it more, but I know it's challenging when you don't do not.

[00:06:20.250] - Plaintiff: Cassie and John have been wonderful. I mean, they're awesome people I'm just

[00:06:24.810] - Theresa Whaley: Cindy, tell us about your experiences the last few weeks with the girls and visits and that kind of thing.

[00:06:30.930] - Plaintiff: Well, I've been visiting them, like, 4 hours a week, and I really enjoy that. And I'm very thankful to have that time. And I want more time, of course.

[00:06:44.490] - Theresa Whaley: Sure.

[00:06:45.510] - Plaintiff: I want them back as quickly as possible that we can do this.

[00:06:50.490] - Theresa Whaley: Do you think the visits are going well?

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[00:06:59.110] – Plaintiff: Oh yes, yes

[00:06:59.133] – Williams: Just for my peace of mind and knowledge, who is supervising the visits right now?

[00:06:59.110] - Theresa Whaley: John and Cassie, the foster parents are supervising the visits with Cindy

[00:07:05.810] – Williams: Are they supervising the visits at their home or where?

[00:07:07.010] - Theresa Whaley: Yes. At their home. And they're aware of the visits expectations, and they're closely supervised. Would you say that's correct, Cassie?

[00:07:15.660] - Cassie Rideout: Yeah, yeah.

[00:07:19.530] - Theresa Whaley: And right now she's visiting 4 hours a week. And I mean, I'm not opposed to more than that, but I don't want to overburden the Rideout's either.

[00:07:30.630] – Plaintiff: No, I understand.

[00:07:31.650] - Theresa Whaley: Yeah

[00:07:33.270] – Plaintiff: But I'm just curious why there is supervised visits in the first place because I didn't have it.

[00:07:37.350] - Theresa Whaley: Did you hear that question? Can you hear Cindy?

[00:07:39.590] – Williams: I can hear a lot, but I didn't catch that

[00:07:43.870] - Theresa Whaley: She said she wants to know why the visits are supervised because they weren't supervised before.

[00:08:03.390] – Plaintiff: And I had my...

[00:08:04.000] – Williams: Well because that's just sort of how Juvenile cases start out then you bump up from supervised to unsupervised umm

[00:08:05.370] – Williams: My concern and the reason why the supervised visits were a benefit to me was because I was concerned there would be pressure put on the girls by Cindy or M.S.H. or somebody else. And that's why you know I felt like we needed that period of supervision to make sure that's not happening. umm, I mean, if that's a team, we all agree that we can transition to some unsupervised and try those, I'm not sure I would have a problem with that.

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[00:08:34.150] - Theresa Whaley: Well, and I understand what you're saying. And I know Siegrid has some issues with worrying about the girls being brainwashed by one parent or both parents or whatever. And umm I can't say whether or not they have been. I know that these are very smart girls, and they think for themselves, they have their own opinions, they have their own ideas. John and Cassie are shaking their head yes. so umm, I mean they have very strong opinions. Now, whether or not they've been brainwashed, like I said, I can't say, but I don't think that they're in any danger is what I'm saying. But now, as

[00:09:14.873] – Williams: Yes

[00:09:14.990] - Theresa Whaley: As far as the emotional manipulation, I can't answer to that because I haven't been involved

[00:09:21.170] – Williams: Sure

[00:09:21.170] - Theresa Whaley: with them for quite a while.

[00:09:22.670] – Plaintiff: Well, just like M.H. has been wanting to have her ears pierced. Well, she has her ears pierced. Well you know, I think she should wait. But so there's things that my kids do that I don't agree with that. We go along with because they're individuals you know. I mean, M.H.'s eating meat. I don't eat meat. M.S.H. eats meat. I don't eat meat. But you know I try to give my children the best ideals and they have to make the choices.

[00:09:54.810] - Theresa Whaley: Umm, and I guess I don't know how to approach this. Jennifer, and I know you and I are going to talk. We didn't get a chance to talk yesterday.

[00:10:00.786] – Williams: Right.

[00:10:01.650] - Theresa Whaley: but I don't feel I mean, I guess maybe we have different ideas about what's "educational neglect". I know that you had mentioned you were concerned about "educational neglect" for the girls, but from an agency standpoint, people can homeschool their kids without it being "educational neglect", and especially when they're higher functioning kids. And I mean, I don't think there's any question about that.

[00:10:28.230] - Theresa Whaley: They're not behind academically as far as I can see.

[00:10:31.830] – Williams: And I'm not going to tell you that my position on the education hasn't potentially changed. But let me tell you what my position was at the trial in the civil case. I had a mom on the witness

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stand who couldn't tell me what her kids were learning or what they were studying. And I had kids who were who were appearing to be from everything I could see, at least at that time to be behind now that they have been to the public school and then tested. My position may change on that, but right now, I haven't seen any of the standardized testing. I haven't seen any of the school records that we just got yet, so you know those things may very well change my mind. At least at the time of the trial I was sitting there hearing a mom testify and not be able to tell me what her kids were learning. So that's why I had the concerns that I had, and it may be different based on what we get from the school.

[00:11:26.210] - Theresa Whaley: Okay. And I am not sure, what I have, Jennifer, is their grade report. I don't have, do you are you saying that the girls were tested when they were enrolled in school?

[00:11:37.140] – Plaintiff: Yes.

[00:11:38.340] - Theresa Whaley: Okay.

[00:11:39.540] – Williams: My understanding is that standardized tests for each of the girls.

[00:11:42.810] – Plaintiff: I had asked [Dr. Fish] for both of them to be done [tested] and that they had asked, then I guess somebody from Chuck's side the lawyer or somebody had asked that they didn't be tested, that they wouldn't be. But they tested M.H., but not S.H. They tested M.H. but not S.H.

[00:11:56.808] - M.H.: I was tested at West Point and Doniphan and yes.

[00:12:00.750] – Plaintiff: But both girls were tested at West Point, and I have given both of those test reports to Jennifer Williams.

[00:12:09.030] - Theresa Whaley: For the West Point testing.

[00:12:10.410] – Plaintiff: Yes.

[00:12:10.830] - Theresa Whaley: Will you give me a copy of that as well?

[00:12:12.225] – Plaintiff: Yes.

[00:12:12.450] - Theresa Whaley: Do you have that, Jennifer?

[00:12:14.430] – Williams: I don't know, umm I don't have my file with me I wasn't planning on

[00:12:20.950] - Theresa Whaley: And if you could get that,

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[00:12:22.270] – Plaintiff: Sure.

[00:12:22.270] - Theresa Whaley: I would like to see the school's testing as well, but I know they are on grade level.

[00:12:24.790] – Plaintiff: Sure.

[00:12:27.310] - Theresa Whaley: So I think if they would have tested them and they would have had concerns, they wouldn't have put them.

[00:12:31.990] – Plaintiff: S.H.'s getting straight A's.

[00:12:33.490] - Cassie Rideout: Yes, she is.

[00:12:35.290] – Plaintiff: Even though they don't test her at public school, she is getting straight A's been straight A's.

[00:12:40.270] - Cassie Rideout: M.H. would have had straight A's if she had not had that time off

[00:12:42.850] - Theresa Whaley: Yeah, if she had not been hospitalized because I don't think homework .. John and Cassie, you don't have any concerns?

[00:12:50.650] - Cassie Rideout: No.

[00:12:50.650] - Theresa Whaley: About school or learning what you've seen?

[00:12:52.969] - Cassie Rideout: No, not at all!

[00:12:53.366] - John Rideout: No.

[00:12:53.410] - Theresa Whaley: Okay.

[00:12:53.830] – Plaintiff: M.H.'s a perfectionist.

[00:12:55.810] - Theresa Whaley: Yeah, she is, oh I remember that.

[00:12:59.530] - Cassie Rideout: Especially S.H. Her playing is more or less school because she wants to count. She wants to add. She wants to spell.

[00:13:08.650] - Theresa Whaley: What were you telling me one day that she was playing? I can't remember, but she was counting money out.

[00:13:16.390] - Cassie Rideout: She wanted me to get change out. And I'd hand her a handful of change, and then she would lay it out to make that amount up. She would write down that a quarter is 25 and three pennies or whatever, however much she had, to add up to the amount. So

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Yeah. And spelling that girl. I don't think she knows how to miss a word.

[00:13:39.310] - Theresa Whaley: She could read a book before she was in kindergarten, I think.

[00:13:43.990] - Cassie Rideout: I think she is actually super smart.

[00:13:45.850] – Plaintiff: She was actually nine months old. She could read. I mean because I started her at four months. A lot of words you know before she could even talk, because I'd put words on the wall and I'd say now, which word is the chair? I'd put them way far apart and her eyes would go to the word chair.

[00:14:00.610] – Plaintiff: And then she was reading by the time she was 18 months. So I think that's really helped her a lot.

[00:14:09.290] - Theresa Whaley: And so, I have not had any contact with Chuck. I know that the girls tell me that they do not want visits, that we have talked with them about, maybe some therapeutic visits in the future. We are, I don't think

[00:14:28.862] – Williams: I thought that was where we were that we were going to set those up with Scott Foster.

[00:14:28.830] - Theresa Whaley: But I was out of the office for two weeks, and this is the 30-day meeting. I have left a couple of messages for Scott. I don't think he works in the office all day long. I think his schedule is kind of split, so I've left a couple of messages down there, and I haven't heard back from him yet, but I'm sure that I will. And so that's the plan. But it was my understanding. The counseling was individual for the girls, family for the girls and Cindy. And then the plan because I wasn't at the last meeting, but was the plan to go ahead and begin family with Chuck as well, or wait until the girls are ready.

[00:15:08.310] – Williams: **My understanding was we were going to do, start therapy with Chuck and the girls as well.**

[00:15:19.770] – Plaintiff: That was not my understanding at all

[00:15:21.750] - Theresa Whaley because M.H. is sitting here shaking her head, looking very agitated.

[00:15:27.750] - M.H.: **She knows I don't want to see him, and I guess because I'm underage, I guess it doesn't matter.**

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[00:15:37.410] - Theresa Whaley: Well, you were in care for two years before and you didn't have any contact with Chuck, and he never made any attempts to contact you

[00:15:45.030] - M.H.: He didn't.

[00:15:46.050] - Theresa Whaley: So I don't know, Jennifer, you've been on this longer than I have in this case, this situation. But I mean our perspective is we don't force kids to visit if they don't if they're very set against it, but if you want us to set it up, we'll set it up. I guess.

[00:16:11.690] - Williams: Obviously, I know what Siegrid's position would be if she were participating in this, and that's her argument to make. Umm, I am okay with letting M.H. and S.H. go ahead and start individual therapy, but I would like the therapist to talk with them about the possibility of starting therapeutic with Dad.

[00:16:33.110] - Theresa Whaley: And Cassie and I talked with them the other day about that and how it's okay to love both parents. They don't have to be happy with what they've done, but that's their dad, Cindy's their Mom no matter what. But a lot of times I think it does more harm than good whenever the kids are set against it, it's, but I mean we can definitely have Scott talk with them about it.

[00:17:04.430] - Williams: Well, that's what I'm saying as long as you are direct as you know a way for them to be able to work through the issues that's what I'm concerned about.

[00:17:22.710] - Theresa Whaley: But my issue with Chuck and Bernice is that the kids have been in care for over a month now, and I haven't heard from either one of them since the very first day. They haven't called the check on the girls. They don't call me; they don't make any efforts. And that's exactly what I had last time when I had this case. Cindy was the one that did everything, but Cindy was the bad guy.

[00:17:48.150] - Williams: Yeah.

[00:17:48.150] - Theresa Whaley: So I'm just saying that's my perspective and I'm not going to change. I mean, I'll do what the team feels is best, but I feel like if he's a committed parent, why isn't he calling? Where are my girls? When can I see them? Why can't I talk to them? I'm not getting that.

[00:18:03.810] - Williams: I don't disagree with that at all.

[00:18:05.550] - Theresa Whaley: And for two years, I never heard one word from him. And is Siegrid Chuck's attorney or Bernice's attorney?

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- [00:18:11.870] – Williams: She is Bernice's attorney in the civil case, and I assume also in the Juvenile case.
- [00:18:18.610] – Plaintiff: Well, she's also been my attorney.
- [00:18:22.390] - M.H.: Wasn't she also Chuck's attorney not too long ago?
- [00:18:22.390] – Plaintiff: Yeah, she's everybody's attorney.
- [00:18:24.190] - M.S.H.: She's been everyone's attorney, everyone's attorney.
- [00:18:29.990] - Theresa Whaley: Okay. Bernice's attorney in the civil case and then Chuck's?
- [00:18:32.280] - M.S.H.: I don't see how that's not a conflict of interest
- [00:18:38.370] – Williams: I don't think see how there's not been an official entry of appearance filed in writing. She was here the initial FST representing that she was there on behalf of Bernice. So my assumption is she is Bernice's in the Juvenile cases as well.
- [00:18:53.250] – Plaintiff: Well, she's my attorney to in the past. '97, 2004, 2005, 2006, 2007, 2008, 2009, yes. And I think it's a conflict
- [00:19:11.800] - M.S.H.: There's multiple conflicts.
- [00:19:11.770] – Plaintiff: And we don't have any control over that. That's I don't know. Probably talk to Jasper about that and.
- [00:19:23.030] - Chris Montgomery: I'm checking case that Siegrid represents Bernice in the juvenile case.
- [00:19:27.290] - Theresa Whaley: In the juvenile case?
- [00:19:28.370] - Chris Montgomery: She made a motion to intervene. It was sustained. And she has entered in the case.
- [00:19:32.340] - Theresa Whaley: She has, Okay. Okay, so as far as Siegrid, and I did try to call her and left her a message just now. But if Bernice wants to visit, we helped facilitate that before. When the kids were in care, they had visits with Bernice. I think we were very flexible with that. I don't even think the visits were supervised at that point, but **I will say I do have concerns that girls have shared with me that they had contact with their dad while they were living with Bernice without her supervision.**
- [00:20:08.010] – Williams: My position on that would be that Bernice's needs supervised if she has visits, too.

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[00:20:12.030] - Theresa Whaley: Okay, good because I feel the same way.

[00:20:14.490] – Williams: Yes, because that has been a long-standing issue.

[00:20:20.190] - Theresa Whaley: With the kids?

[00:20:21.930] - Theresa Whaley: Okay.

[00:20:24.510] – Williams: At least a matter of dispute a long time. I don't have 100% validation that that's the case, but it's been enough of a suspicion. We made Cindy start supervised, I think Bernice needs to start supervised as well.

[00:20:42.570] - Theresa Whaley: Okay. Yeah. And I know before when they had a supervised with Bernice, I don't think that was ever an issue that. I mean, we always were concerned about that, but the girls never reported that they've been around their Dad. Is that right, M.H.? Up until this last time. So besides that. So we will set up individual therapy for the girls with Scott. I will make sure that he addresses their issues with Chuck. And then, as far as family therapy with Cindy, that's still we want to incorporate that as well. Correct?

[00:21:20.850] - M.S.H.: Cindy Moses as in the previous counselor or Cindy my Mom?

[00:21:23.430] - Theresa Whaley: Your mom?

[00:21:26.490] - M.S.H.: Yeah. Are we starting a whole new counselor and building a new trust? A whole new trust?

[00:21:29.910] - Theresa Whaley: Apparently so.

[00:21:30.330] - M.S.H.: So why? For what purpose? Because the juvenile office and the GAL feel that we need a new set of eyes on the case. Are you [Theresa Whaley] part of the juvenile office?

[00:21:42.090] - Theresa Whaley: No. Scott, no, Chris [Montgomery] and Pam [Stark] are the juvenile office. Is that still correct to Jennifer?

[00:21:52.590] – Williams: That's still my position here.

[00:21:54.090] - Theresa Whaley: Okay.

[00:21:54.810] - Theresa Whaley: And now, as far as Cindy, if you want to continue seeing Cindy Moses for your own therapy. I don't have a problem with that.

[00:22:01.950] – Williams: I wouldn't have an issue with that either. And I've talked with Cindy [Moses] at length, and she is absolutely amenable to that.

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[00:22:07.437] - Theresa Whaley: Okay.

[00:22:08.310] – Plaintiff: Okay.

[00:22:09.510] - Theresa Whaley: So I can help get that set up.

[00:22:13.290] – Plaintiff: Okay.

[00:22:17.470] - Theresa Whaley: That will give you a support and someone that you trust and at the same time. I do think that you will be happy with Scott, and I know the Rideout's know Scott, and they're very comfortable with him. So I'm giving him a chance you know

[00:22:30.850] – Plaintiff: Okay.

[00:22:32.590] - Theresa Whaley: What did you say [to John Rideout]?

[00:22:33.140] - John Rideout: I've known Scott [Foster] all his life.

[00:22:38.030] - Theresa Whaley: Okay. So then that's the plan for that.

[00:22:43.070] – Plaintiff: I would like to go back.

[00:22:48.390] – Williams: At this time Mom does not have any unsupervised contact with the girls?

[00:22:48.390] - Theresa Whaley: That is correct.

[00:22:50.430] – Williams: Okay

[00:22:50.430] – Theresa Whaley: Her phone calls are even supervised.

[00:22:53.730] – Williams: Okay

[00:22:53.730] - Theresa Whaley: And M.S.H.'s phone calls.

[00:22:57.330] - M.S.H.: I haven't had phone calls.

[00:22:58.650] - Theresa Whaley: My own phone call, like it wasn't one that was just set up for us to call. Okay, one phone call? So I mean the Rideout's are diligent with that, and they understand that

[00:23:07.830] – Plaintiff: I would like to ask for more time with kids and even weekends that they could come home because that's what it was before

[00:23:17.310] - M.H.: Before we were doing weekends at Berry's [former foster parents]. Umm and then we were doing weekends with

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Grandma. So I don't know why they would have a problem with it again. There was no problems before.

[00:23:28.830] - Theresa Whaley: Did you guys hear that?

[00:23:30.570] – Williams: I'm sorry can you repeat that?

[00:23:32.490] - Theresa Whaley: Speak up just a little bit M.H., I'm sorry my phone doesn't carry.

[00:23:35.670] - M.H.: We were having visits weekends umm with mom at Barry's, and then we were doing them at Grandmas, and umm there was never any problems with that so I don't really understand how that would be a problem now.

[00:23:53.950] – Williams: When were the weekend visits you were having with Mom where were those taking place?

[00:23:53.950] - Theresa Whaley: Whenever they were in a foster home before, Barry Newton, they were having weekend visits.

[00:24:00.070] - M.H.: and with Grandma

[00:24:00.790] - Theresa Whaley: before they went home. And with Grandma, that was before they went home the last time.

[00:24:05.120] – Williams: Okay

[00:24:07.030] – Plaintiff: Yeah, I would just like to go back to, like, from Friday night till then, I could take them to school. They could actually get off the bus Friday at my place and then get on to school on Monday morning.

[00:24:20.750] - M.S.H.: I uhh, is it possible for me to have unlimited visits with the kids? Unsupervised? Not unlimited, but whenever we can decide to set them up because I have not offended these kids whatsoever.

[00:24:34.850] - Theresa Whaley: Well, I think Jennifer can answer that as well, M.S.H., but from what I'm understanding, the concern is that you and your mom.

[00:24:43.790] - M.S.H.: Where is that information coming from?

[00:24:45.710] - Theresa Whaley: I don't know.

[00:24:46.200] - M.S.H.: That's coming from Chuck's mouth.

[00:24:49.850] – Williams: The concern that I have is uhh based on
[00:24:56.970] – Plaintiff: Chuck

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- [00:24:56.993] – Williams: Allegations made to me by Dad,
- [00:24:57.017] - M.H.: [laughing]
- [00:24:56.970] – Williams: by Grandma, also a few of the text messages that I saw umm looking at M.H.'s phone.
- [00:24:57.220] - M.S.H.: What were those text messages?
- [00:25:08.470] - M.H.: That was to prove that Chuck was talking bad about Mom. That was because you weren't listening to what I was saying. That was to prove what was happening.
- [00:25:15.260] – Williams: M.H.,
- [00:25:33.050] – Williams: The thing is you I don't want either one of your parents or anybody else in your family. I'm trying to make sure that's not happening from Mom from M.S.H. or from anybody else. Because you all should not be in the middle of this any more than you already are.
- [00:25:41.150] - Theresa Whaley: And I
- [00:25:41.150] – Williams: And nobody should be making you feel guilty for having positive or negative feelings towards either one of your parents. You need help processing those, that's why I think that therapy is so important. That nobody should be putting pressure on you to feel or not feel a certain way about this?
- [00:25:57.050] - M.S.H.: When have I put pressure on them? Like what is restricting me from taking them shopping? Taking my sister's shopping? They weren't removed from me.
- [00:26:05.150] – Williams: **The concern that I had was not specifically about M.S.H. I have concerns about her inserting herself into this situation constantly; but, more specifically my concerns were that I had was with Mom trying to get M.H. to spy on Dad or video tapings at Grandma's. That's not appropriate to put your child in the middle of that.**
- [00:26:17.030] - M.S.H.: They are my sisters I am very concerned for their wellbeing. But, when there's, when they don't listen to what you say you need hard evidence, too.
- [00:26:35.790] - Theresa Whaley: Why don't we do this? Why don't we go ahead and give it a few sessions with Scott? Because. I mean that's the starting point. So

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the girls understand and they're going to have their own ideas, like I said, but

[00:26:51.210] – Williams: Absolutely.

[00:26:52.890] - Theresa Whaley: That way they can therapeutically process the feelings that they have about their dad, about their grandma, everything. And then you know, umm at some point, we're going to have to be able to measure when I guess Jennifer when you feel like they're going to be able to think for themselves and not be manipulated because we all have to go through life hearing things we don't like and having our own opinions about things. So what is your thinking that after the sessions that's different for every kid and that's going to be different as we go through therapy because I mean we get to go through life and have those things happen and we're adults and we have the mental capacity to process that. They are still kids. So that's gonna be very dependent upon their emotional progression and their

[00:27:41.180] - M.S.H.: The human brain is not fully developed until someone is 27 years old.

[00:27:52.610] - Theresa Whaley: I'm not opposed to some more visits, but I don't want to put too much on John and Cathy.

[00:28:01.130] – Williams: I would agree with that.

[00:28:01.130] - Theresa Whaley: How much do you think you can handle supervising some more? Or I could get someone else to supervise it with some additional visits. That's fine.

[00:28:14.330] - Cassie Rideout: What are we talking about?

[00:28:15.170] - Theresa Whaley: What do you think is reasonable? Is 8 hours too much.

[00:28:21.770] - Cassie Rideout: No.

[00:28:22.310] - Theresa Whaley: If it's broken up, would that be too much?

[00:28:25.790] - Cassie Rideout: No, because if the situation was turned around, I'd want to be able to do it every day. Right?

[00:28:31.730] - Theresa Whaley: I'm trying to be objective, and I don't want to put too much on you guys. And I mean, we're so thankful that you're open minded and willing to do this for us.

[00:28:41.690] - Cassie Rideout: Cindy is very very good about you know if there's some time that she may want to come and we've got things going on, it's

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fine and we just make another date. I mean there's never been a problem with that.

[00:28:54.410] - Theresa Whaley: Okay.

[00:28:57.230] - M.S.H.: Where do I stand in this situation? Do I get to tag along to her visits whenever I have time? Because I work. I have class. I have one day off.

[00:29:09.930] - Theresa Whaley: How long, what do you have in mind, M.S.H.?

[00:29:11.910] - M.S.H.: Just maybe two or 3 hours spent in Poplar Bluff, take them to a movie, buy them some clothes or something because I'm working. I want to treat them to something if I can. Just sometimes I can. And I'm not going to spend the entire time talking about stuff that they don't want to talk about. That I don't even want to talk about because our life revolves around it. So something just to let them relax and spend time with me and build a trusting relationship with me, considering the stuff that they had been told at Bernice's house that I have heard that was said about me. So it's been two-way street brainwashing.

[00:29:50.050] - Williams: I don't think anybody disagrees with you

[00:29:50.050] - M.S.H.: Thank you. I appreciate that.

[00:29:54.530] - Plaintiff: Well, I would like to have the weekend visits back if we can. Like, they could get off the bus at my place and they can get back on the bus on Monday and.

[00:30:01.750] - Williams: I'm ok expanding to 8 hours if the Rideouts are ok with that until we get some therapy under our belts, but I do want them to remain supervised until we have some therapy under our belts.

[00:30:14.190] - Theresa Whaley: Let's get the therapy going. We'll come back for a 60-day meeting, and then maybe we'll have some good information from Scott [Foster]. So, is that your thoughts on M.S.H. as well Jennifer?

[00:30:28.935] - M.S.H.: Because I'm 18.

[00:30:43.930] - Williams: If Cindy wants to utilize part of her time and M.S.H. visit during that time, I don't necessarily have a problem with that I don't have an issue with that, I know the girls love their sister very much.

[00:30:43.930] - Theresa Whaley: Yeah. And M.S.H. comes when she can. I don't know how often that is.

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- [00:30:49.150] - M.S.H.: Asking. I can't come every time my mom goes because I have class all day at Three Rivers in Poplar Bluff. Then I work eight-hour, ten hour shifts at Sonic.
- [00:31:01.090] - Theresa Whaley: **But you're not comfortable with her having the girls unsupervised at this point. Is that correct?**
- [00:31:06.080] – Williams: **That would be correct.**
- [00:31:06.260] - M.H.: **I don't see how she can even...**
- [00:31:13.330] - M.S.H.: **But it was okay for Chuck to be unsupervised.**
- [00:31:15.370] - M.H.: **Yeah, he was unsupervised every day. And I, I talked to her [GAL] about that and nothing happened that.**
- [00:31:24.770] - Theresa Whaley: What Jennifer is saying is she wants all the visits supervised. Chucks, Bernice's. Everybody.
- [00:31:28.070] – Williams: Everybody for now until we get some therapy under our belts.
- [00:31:33.930] - M.H.: **She didn't do anything about it before with Charles.**
- [00:31:37.530] – Plaintiff: Well we're starting right here.
- [00:31:42.250] - Cassie Rideout: I don't have a problem with M.S.H. coming without Cindy because she can't always be there at the same time.
- [00:31:49.510] - Cassie Rideout: So she could just call you and set that up.
- [00:31:51.670] - Cassie Rideout: Yes. Okay.
- [00:31:52.760] – Williams: I can live with that I'm ok with that.
- [00:31:53.960] - Theresa Whaley: Okay.
- [00:31:55.160] – Williams: As long as they are supervised it will be fine with me until we get some therapy under our belts.
- [00:31:56.360] - M.H.: **She is not the one who has to live with that!**
- [00:32:04.310] - Theresa Whaley: Is there anything else that we need to talk about today? I know visits were the big thing.
- [00:32:09.480] - Theresa Whaley: Pass it [Attendance sign in sheet.] Huh?
- [00:32:10.680] - Chris Montgomery: Are there two?

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- [00:32:20.190] - Theresa Whaley: Oh no there's just the one. Yes. Your name might not be on M.S.H., I'm not sure. Jennifer, did you have any specific services in mind for Chuck or Cindy besides the counseling?
- [00:32:32.790] - Williams: For right now I would like to see that get started umm I mean WE MAY HAVE SOME OTHER THINGS THAT CROP UP that I may bring to the team, but for right now, those are the big things that I would like to started as quickly as possible.
- [00:32:45.210] - Theresa Whaley: Okay.
- [00:32:46.110] - Theresa Whaley: And Jasper, did you have anything to say or any input?
- [00:32:53.230] - Plaintiff: He said that he would let us know if there was anything else that he had to.
- [00:32:59.470] - Theresa Whaley: All right. Cassie, John, did you have anything to add?
- [00:33:02.710] - Cassie Rideout: No.
- [00:33:04.870] - Theresa Whaley: Okay. Well, I guess that's it. Thank you, Jennifer, I'm sorry for the confusion on the time.
- [00:33:10.570] - Williams: No, I think it was my fault.
- [00:33:12.130] - Theresa Whaley: Okay.
- [00:33:12.289] - Theresa Whaley: No I think it was my fault
- [00:33:13.270] - Theresa Whaley: All right. Bye.
- [00:33:23.390] - M.S.H.: I don't agree with the plan so I'm not going to put yes.
- [00:33:26.930] - Theresa Whaley: So, Cindy, when you leave here, do you know where the counseling office is? Down to its right across from the courthouse. And there's a big sign that says The Counseling Office.
- [00:33:36.720] - Plaintiff: Yes
- [00:33:38.090] - Theresa Whaley: If you will go down there. And I don't know if anybody's there. I've left a message this morning, but go down there and tell them that you need to make an appointment for you and the girls and give them my name and number
- [00:33:50.570] - Plaintiff: Okay.

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[00:33:52.550] - Theresa Whaley: And maybe they'll call me quicker if you actually walk in.

[00:33:55.140] - M.H.: Needs my name on there?

[00:33:55.320] - Plaintiff: What? [M.H. wanted to put her name on the sign in sheet]

[00:33:56.520] - Plaintiff: Oh ok, put your name on there?

[00:33:58.680] - M.H.: Yeah!

[00:34:00.350] - Theresa Whaley: I didn't put your name on there, M.H., I'm sorry, I thought I did.

[00:34:10.683] - Plaintiff: You can sign your own name sweetheart.

[00:34:10.650] - Theresa Whaley: Bring that West Point testing in when you get a chance

[00:34:12.330] - Plaintiff: Okay. I will do that.

[00:34:13.830] - Theresa Whaley: Okay. And then I'll try to get the other testing from the school because I was not aware of it. So you're saying that M.H. was tested by the counselor at the middle school, and S.H. was not?

[00:34:23.430] - Plaintiff: No. Bernice and Siegrid did not want her tested and Chuck why? For what purpose? So I asked for them to do it. I even went in and talked to Dr. Fish about them both being tested.

[00:34:35.370] - M.S.H.: Why did she agree to have S.H. not tested if she wants to test for both the kids?

[00:34:40.170] - Theresa Whaley: I don't know.

[00:34:40.710] - M.S.H.: That makes no sense.

[00:34:41.550] - Theresa Whaley: **That's why I wanted to bring up about the educational neglect, because I don't see how it can be educational neglects when they're on track. Academically and our children's division policy is very clear that you have the right to homeschool your children.**

[00:34:56.970] - Plaintiff: Well, they actually have a lot of things that they are not doing that they have been doing homeschool.

[00:35:01.790] - M.S.H.: This is RIPC0

[00:35:03.990] - Cassie Rideout: Do you want us to sign our names?

[00:35:05.260] - Theresa Whaley: Yes

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[00:35:07.890] – Plaintiff: Well, like I had both S.H. and her doing a journalist and a photography class, and they're not getting that now.

[00:35:13.770] - M.H.: I was doing ASL [American Sign Language] and Spanish.

[00:35:16.170] – Plaintiff: Yeah. So, I mean, they're not getting that in public school.

[00:35:20.020] - Theresa Whaley: Well yeah

[00:35:25.210] – Plaintiff: I try to teach, I want my kids to be able to be writers, and to be a writer and to take pictures. And they can submit, they've been submitting these to, like, other magazines.

[00:35:35.650] - Theresa Whaley: S.H. drew me a picture the other day

[00:35:35.650] – Plaintiff: And Cassie got a book, a drawing book at Goodwill. I mean, it is awesome I mean, her grandkids...

[00:35:48.190] – Plaintiff: Can I get a picture of this please? [sign in sheet]

[00:36:10.930] - Theresa Whaley: That's why I was asking the other night about S.H. and her reading level, because I really think that her reading level.

[00:36:18.190] - M.S.H.: See, what they were trying to say is. It doesn't matter where the test. If you don't have the work to back it up, then it doesn't matter. I'm like, how does the test scores not matter? How do test scores not matter? Like ACT scores to colleges.

[00:36:34.790] - Theresa Whaley: Do you actually have a curriculum that you were home schooling them with?

[00:36:38.390] - M.S.H.: She was put on the spot. She couldn't tell her exactly what they were doing on the exact day, the exact page number?

[00:36:43.920] - Theresa Whaley: Oh okay.

[00:36:49.890] – Plaintiff: No, I went over what we did, the subjects we went over. I just didn't have the names of the books and where they were published at in my brain exactly for each book because I used.

[00:36:59.730] - M.S.H.: I don't even know that for my book, and I look at it every single day.

[00:37:06.010] – Plaintiff: I mean, it was, and I told her I'd be glad to bring them to her. But no, they weren't interested in that.

[00:37:10.510] - M.H.: And they asked me what I was doing in home school whenever they put me on the stand [on Dec 7, 2016 in Case # 13RI-

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CV00554] and I told them what we were doing. She didn't seem to bring that one up.

[00:37:24.110] - Theresa Whaley: Yeah, well

[00:37:24.110] - Theresa Whaley: So I'm going to put on here.... you took a picture of this before I put this on here that we are doing 8 hours supervised weekly. And then we'll do M.S.H.

[00:37:43.530] - Cassie Rideout: Now, for some reason, we schedule a supervised and we can't be there. And it can't be scheduled different. Do I need to call you or can my daughter to sit in with the supervised or what?

[00:37:58.830] - Theresa Whaley: I'm fine with that.

[00:38:00.150] – Plaintiff: Are you fine with your daughter's supervising and just make sure she knows that. And you guys, the burden of this is on you to know that you cannot discuss anything about the case.

[00:38:12.270] - Theresa Whaley: During your visits talk about the girls' school activities, church and what's going on.

[00:38:16.170] – Plaintiff: We try to do that kind of thing. Believe me, I really don't even want to talk about this stuff, I'm sick of it.

[00:38:20.493] - M.S.H.: That's what I was saying.

[00:38:29.530] – Plaintiff: Three plus years is like twelve years. I'm sick of it, there's a life besides this junk.

[00:38:33.130] - M.S.H.: I'm like, so whenever I take them that's not what I want to talk about anyway.

[00:38:39.770] - Theresa Whaley: How old is Samantha?

[00:38:40.750] - John Rideout: 29

[00:38:41.950] - Cassie Rideout: 29, I think, she'll be 29 this month.

[00:38:51.270] – Plaintiff: Maybe I could get a copy of that from you.

[00:38:54.210] - Theresa Whaley: I'll make a copy. Thank you. And I will bring you those records.

[00:39:01.350] – Plaintiff: And then go down to the counseling office here when I leave here and see if I can make an appointment for all of us. And what about Cindy [Moses]? Can you make an appointment with Cindy [Moses] for me? How does that work?

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[00:39:15.930] - Theresa Whaley: I can do the referral, and then it probably will work better if you just make the appointment. She had messaged me the other day and asked me about it.

[00:39:23.970] – Plaintiff: That'd be good. I love Cindy [Moses]. I'll tell you.

[00:39:26.670] - Theresa Whaley: Yeah. That will give you a support.

[00:39:30.690] – Plaintiff: She's been very good for our family.

[00:39:32.670] - Theresa Whaley: And then, like I said, you know it doesn't hurt to have another set of eyes. She's right.

[00:39:37.050] - Theresa Whaley: I mean, work with Scott, build that relationship with him just like you have Cindy, you didn't want to deal with Cindy either when you first got her.

[00:39:45.270] – Plaintiff: No, Just it's just I'm tired of talking about it. They said you want to talk about the case. Well, I'm sick of it.

[00:39:50.850] - Theresa Whaley: Scott's a good guy. The Rideouts trust him. You trust the Rideouts. They trust him. All of you work together.

[00:39:59.250] - M.S.H.: So what is the game plan to get the kids back home?

[00:40:04.050] - Theresa Whaley: Our goal is reunification.

[00:40:05.670] - M.S.H.: So that's going to take a year,

[00:40:08.250] - M.H.: Like another two years or?

[00:40:09.930] - Theresa Whaley: I can't answer that.

[00:40:11.610] - M.S.H.: Because if there's no purpose for them being a neglect, then custody fumble jumble wasn't the whole thing. Well, the judge that denied a protection order against for me the same judge. Or can we get a different judge? That best interest for children.

[00:40:26.550] - M.H.: What about another Judge?

[00:40:27.630] - Theresa Whaley: I can't answer that. M.S.H., you can go...

[00:40:29.850] - M.S.H.: Who can answer that?

[00:40:30.693] - Theresa Whaley: An attorney? Talk to Jasper, get an attorney.

[00:40:31.350] - M.S.H.: Talked to multiple. No one is going to do anything.

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[00:40:39.070] - Theresa Whaley: Chris, do you have any suggestions? Yeah, I don't know the law about protection orders.

[00:40:47.030] - M.S.H.: I wish I did

[00:40:47.450] - Theresa Whaley: I wish I got an order in your situation and not juvenile court. As far as the time frame, I can't answer how long that's going to be because, as you can see.

[00:41:06.010] - M.S.H.: As I can see, it's been three plus years since I told about it. Still nothing's been done. It's just been continued again.

[00:41:14.170] - Theresa Whaley: When is it continued?

[00:41:15.670] - Plaintiff: Don't even have a date now.

[00:41:16.810] - M.S.H.: Don't know.

[00:41:29.210] - Theresa Whaley: Wow! I'm sorry. I have it [case #] can I exit this room?

[00:41:40.870] - Plaintiff: Going to get the case number. It is stressful for her and all of us. It is like, what the heck?

[00:41:51.470] - Chris Montgomery: I know. I haven't been around for a lot of this case. But what case is she talking about? What is it?

[00:41:56.210] - Plaintiff: Chuck Haynes molested her from when she was eleven to 14.

[00:42:00.420] - Theresa Whaley: And that's the girl's dad, M.H., and S.H.

[00:42:03.590] - Plaintiff: This man that...

[00:42:04.310] - M.H.: **That's the one she [GAL] wants us to be forced to see. Great.**

[00:42:13.530] - Cassie Rideout: But your dad hasn't done anything to you?

[00:42:16.290] - M.H.: No...with a huge sigh.

[00:42:18.090] - Cassie Rideout: And if you did, you would say something to somebody?

[00:42:22.690] - M.H.: **Doubt if anything would get done about it but [odd laugh]**

[00:42:35.190] - M.S.H.: I don't think that my case is on. But you might be able to see it.

[00:42:38.910] - Plaintiff: I think they redacted it off.

[00:43:30.110] - Theresa Whaley: What does it say?

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[00:43:37.350] - Theresa Whaley: Because the reason was, he wasn't presented all of the evidence and didn't have enough time to review it. I guess three years wasn't enough.

[00:43:46.710] – Plaintiff: Well, actually, Chris Yarbrow was his attorney, and Jennifer Williams was there at that office when that time was.

[00:43:57.040] - Theresa Whaley: Really? And now she's the GAL?

[00:44:01.630] - Chris Montgomery: She [GAL] worked with the Kennedy's and now she's with Spain.

[00:44:04.810] – Plaintiff: So to me, that's a conflict of interest, I think.

[00:44:07.810] - M.S.H.: Is it not?

[00:44:08.590] - Theresa Whaley: Why isn't Jasper bringing that up?

[00:44:11.230] - M.S.H.: Because Jasper,

[00:44:13.270] - Chris Montgomery: Wait, Chris Yarbrow represented Chuck while Jennifer was there?

[00:44:18.130] – Plaintiff: Yes, that's my understanding. Yes, there's a conflict.

[00:44:20.830] - Theresa Whaley: But would that be a conflict since she's not in that firm anymore?

[00:44:25.810] - Chris Montgomery: I don't think so.

[00:44:33.470] - Chris Montgomery: If you all feel like it is, you can have Jasper bring up the issue and let the judge decide, or maybe because Jennifer handles these family cases and probably wouldn't have known anything about the criminal case. Which means once this came up, she probably had no idea that Chris is representing Chuck. Umm, so if she finds out and thinks there's a conflict, she'll get out of it. But I don't know that it's necessarily a conflict. But like I said have Jasper...

[00:45:07.150] – Plaintiff: Jasper, well, Jasper did say there was a conflict with Siegrid because she's my attorney from 97 on, and the judge decided he says, no, there's not a conflict. So I don't know how that could go with this Missouri statute laws.

[00:45:21.310] - M.S.H.: I don't know how I could be denying protection order from the same judge with all of the attached files and copies of documents that he received with it. I just don't have any, I can't fathom it.

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[00:45:28.630] - John Rideout: If you received with one.

[00:45:35.090] - Theresa Whaley: Okay, I'm going to go back and make a copy of this for you.

[00:45:37.190] – Plaintiff: Thank you.

[00:45:42.630] - M.S.H.: Good way to wake up. I'm ready to bite someone's head off right now.

[00:45:57.250] - Chris Montgomery: As far as, you're asking for a jury trial?

[00:45:59.290] - M.S.H.: Yes.

[00:46:02.050] - Chris Montgomery: Jury trials are hard to pay for. Hard to get set up, having one scheduled and then continued. It doesn't have to be for nefarious reasons.

[00:46:21.750] – Plaintiff: It's a way to stay out of jail. It's been going on for three plus years now.

[00:46:29.470] - Chris Montgomery: Which is also common. Especially in a case like this. Very hard to. Like I said, it's kind of a big ordeal for the court to have to put it on and all that. And then you go to big cities. You may have three jury trials a day, around here we maybe have four a year.

[00:46:51.230] - M.S.H.: So does it have a date set yet? So it's been continued, but continued to what date?

[00:47:06.190] - Chris Montgomery: The attorneys for the parties are directed to schedule a conference call with the court to reschedule the jury trial and date for the pending motions. No, it hasn't been set for a date, but they basically have everybody gets on the phone, pulls out the calendars, and they'll figure it out.

[00:47:26.530] – Plaintiff: How long would that to get that to happen? How long would that have to take? I mean, just say to get it notified to the jury so they can get the jury pool picked.

[00:47:36.130] - Chris Montgomery: Or however they do that say they get on the phone when they pick the jury is actually really interesting. You don't have to have any kind of notice for that because they send out hundreds of notices every three months, and they basically tell everybody send us back in, and then you'll be in the pool for that three months. And then when they know that the jury trial is going to go like when they get down to a couple of days before it and it's still set, then the clerks call and they call everybody the judge says anywhere from 36 to 100, depending on how many they

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think that won't be able to make it onto the jury because lawyers strike them for whatever reason. So there's already a pool. There's always a pool. And all they need is a couple of days to call.

[00:48:32.770] - Cassie Rideout: Okay, well, you wouldn't even be able to call.

[00:48:36.310] - Chris Montgomery: Well, they call it random, but that's why they called.

[00:48:56.530] - Cassie Rideout: On Friday to see if they're still doing it. They said they already settled it and I didn't have to go.

[00:49:02.770] – Plaintiff: Thank you very much. I appreciate it.

[00:49:05.000] - Theresa Whaley: See if you can get an appointment and I'll do the authorization.

[00:49:15.830] – Plaintiff: I will do that.

[00:49:28.470] - Theresa Whaley: Okay. It will be CTS

[00:49:29.070] - Cassie Rideout: Awesome. Thank you.